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Crime prevention and criminal justice

Argentina, Australia, Austria, Benin, Bosnia and Herzegovina, Bulgaria, China, Costa Rica, Cyprus, Eritrea, France, Germany, Italy, Lebanon, Liberia, Poland, Portugal, Thailand and the former Yugoslav Republic of Macedonia: revised draft resolution

Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

The General Assembly,

Reaffirming its resolutions 46/152 of 18 December 1991, 60/1 of 16 September 2005, 67/1 of 19 September 2012, 69/193 and 69/196 of 18 December 2014, 69/281 of 28 May 2015, 70/1 of 25 September 2015, 70/76 of 9 December 2015, 70/120 of 14 December 2015, 70/174, 70/175, 70/178 and 70/182 of 17 December 2015, 70/291 of 1 July 2016, 70/299 of 29 July 2016 and 70/301 of 9 September 2016,

Reaffirming also its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1] the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[2] the Convention on Psychotropic Substances of 1971,[3] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[4] the United Nations Convention against Corruption[5] and all the international conventions and protocols against terrorism,

[1] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.
[2] Ibid., vol. 976, No. 14152.
[3] Ibid., vol. 1019, No. 14956.
[4] Ibid., vol. 1582, No. 27627.
[5] Ibid., vol. 2349, No. 42146.

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Welcoming Economic and Social Council resolution 2016/16 of 26 July 2016 on follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, and recalling the importance of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,[6]

Expressing its grave concern about the negative effects of transnational organized crime on development, peace, stability and security and human rights, at the increasing vulnerability of States to such crime and about the growing degree of penetration of criminal organizations and their financial and economic resources into the economy,

Expressing concern at the involvement of organized criminal groups, as well as the substantial increase in the volume, rate of transnational occurrence and range of criminal offences related to trafficking in precious metals and stones in some parts of the world, and the potential use of trafficking in precious metals and stones as a source of funding for organized crime, other relevant criminal activities and terrorism,

Deeply concerned about the growing links, in some cases, between forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility,

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms, including the right to development, and in this respect welcoming the adoption of the 2030 Agenda for Sustainable Development,[7] which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and in this respect recalling its resolution 70/299 on follow-up and review of the 2030 Agenda for Sustainable Development at the global level, in which it encouraged coherence of the General Assembly and its Main Committees, the Economic and Social Council, the specialized agencies and the functional commissions of the Council, and other intergovernmental bodies and forums with the work of the high-level political forum on sustainable development towards the follow-up and review of the implementation of the 2030 Agenda for Sustainable Development and called for avoiding duplications,

Emphasizing that transnational organized crime must be addressed with full respect for the principle of the sovereignty of States and in accordance with the rule

[6] Resolution 70/174, annex.
[7] Resolution 70/1.

of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions,

Encouraging Member States to develop and implement, as appropriate, comprehensive crime prevention policies, national and local strategies and action plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all stakeholders, including civil society, and in this respect stressing that social development should be an integral element of strategies to foster crime prevention and economic development in all States,

Reaffirming its commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

Taking note with appreciation of Commission on Crime Prevention and Criminal Justice resolution 25/2 of 27 May 2016[8] on promoting legal aid, including through a network of legal aid providers, in which the Commission encouraged Member States to adopt or strengthen legislative or other measures to ensure that effective legal aid, including for victims of crime, is provided consistent with their domestic legislation and in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[9] and which also contributes to the implementation of the 2030 Agenda for Sustainable Development,

Deeply concerned about the negative impact of corruption on development and on the enjoyment of human rights, and recognizing the universal importance of good governance, transparency, integrity and accountability, thus calling for a zero-tolerance approach to corruption and more effective measures to prevent and counter corruption in all its forms, including bribery, as well as measures to prevent the laundering of proceeds of corruption and other forms of crime,

Welcoming the results of the sixth session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Saint Petersburg, Russian Federation, in November 2015, and of the launch of the second cycle of the Mechanism for the Review of Implementation of the Convention,

Bearing in mind that the return of assets is one of the main objectives and a fundamental principle of the United Nations Convention against Corruption and that the States parties to the Convention are obligated to afford one another the widest measure of cooperation and assistance in that regard,

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[8] See *Official Records of the Economic and Social Council, 2016, Supplement No. 10* (E/2016/30), chap. I, sect. D.

[9] Resolution 67/187, annex.

Recognizing that, thanks to their nearly universal adherence and wide scope of application, the United Nations Convention against Transnational Organized Crime[10] and the United Nations Convention against Corruption offer fundamental legal bases for international cooperation to support the investigation and prosecution of crimes covered by these Conventions, including for extradition, mutual legal assistance and confiscation and asset recovery, and that they provide effective mechanisms that should be further implemented and utilized in practice,

Recognizing the efforts of the Group of 20 in countering corruption at both the global and national levels, taking note with appreciation of the anti-corruption initiatives outlined in the Group of 20 Hangzhou Summit communiqué, and urging the Group of 20 to continue to engage other United Nations Member States and the United Nations Office on Drugs and Crime in its work in an inclusive and transparent manner to ensure that Group of 20 initiatives complement or strengthen the work being undertaken by the United Nations system,

Stressing the importance of strengthened international cooperation, based on the principles of shared responsibility and in accordance with international law, to effectively address the world drug problem, dismantle illicit networks and counter transnational organized crime, including money-laundering, smuggling of migrants, trafficking in persons, trafficking in arms and other forms of organized crime, all of which threaten national security and undermine sustainable development and the rule of law, and stressing also in this respect the importance of law enforcement cooperation and exchange of information, as well as of designated central authorities and effective points of contact dedicated to facilitating the procedures related to international cooperation, including for mutual legal assistance requests, as well as the importance of the coordinating role of relevant regional networks and organizations,

Noting the important contribution that public-private sector cooperation can make in efforts to prevent and combat criminal activities, such as transnational organized crime, corruption and terrorism, in particular in the tourism sector,

Reaffirming the commitments made by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[11] and its successive biennial reviews, in particular in its resolution 70/291, and other relevant resolutions in which it encouraged Member States and United Nations entities to strengthen and better coordinate their actions against terrorism and to prevent and combat violent extremism as and when conducive to terrorism, including through technical assistance provided to Member States upon their request,

Recalling the importance of its resolution 70/120 on measures to eliminate international terrorism and of resolution 70/148 of 17 December 2015 on the protection of human rights and fundamental freedoms while countering terrorism,

Recalling also its resolution 66/177 of 19 December 2011 on strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities, in which it urged States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic

[10] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[11] Resolution 60/288.

Substances of 1988, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption to apply fully the provisions of those Conventions, in particular measures to prevent and combat money-laundering, including by criminalizing the laundering of proceeds of transnational organized crime, as well as measures to enhance national confiscation regimes and international cooperation, including in asset recovery,

Expressing concern that economic resources, such as oil, oil products, modular refineries and related material, other natural resources and other assets become available to organized criminal and terrorist groups,

Taking into consideration all resolutions of the Commission on Crime Prevention and Criminal Justice and the relevant resolutions of the Economic and Social Council, in particular those relating to the strengthening of international cooperation, as well as the technical assistance and advisory services of the United Nations crime prevention and criminal justice programme of the United Nations Office on Drugs and Crime in the fields of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Noting the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking for the purpose of developing an effective and comprehensive approach to those crimes within the United Nations system, and reaffirming the crucial role of Member States in this regard, as reflected in the Charter of the United Nations,

Recognizing the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and technical assistance to requesting Member States in the areas of crime prevention and criminal justice reform, data and information analysis, of preventing and countering organized crime, corruption, illicit financial flows, money-laundering, criminal misuse of the Internet and other information and communications technologies, illicit trafficking in wildlife, trafficking in cultural property, kidnapping, smuggling of migrants, organ trafficking, trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, drug trafficking and terrorism, including progress in tackling the phenomenon of foreign terrorist fighters, as well as in the area of international cooperation, with special emphasis on extradition and mutual legal assistance and the international transfer of sentenced persons,

Welcoming the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continuing consultations and partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

Reiterating its concern regarding the overall financial situation of the United Nations Office on Drugs and Crime, and welcoming the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office,

Recalling its resolution 71/*** of ** December 2016 on the intensification of efforts to eliminate all forms of violence against women and girls, and the resolutions of the Commission on Human Rights and the Human Rights Council

addressing various aspects of violence against women and girls of all ages, and recalling also the agreed conclusions of the fifty-eighth session of the Commission on the Status of Women, which addressed the elimination and prevention of all forms of violence against women and girls,[12]

Reiterating its condemnation of all forms of violence against women and girls, expressing deep concern about gender-related killing of women and girls, recalling all its relevant resolutions, including resolutions 68/191 of 18 December 2013 and 70/176 of 17 December 2015 on taking action against gender-related killing of women and girls, and recognizing the key role of law enforcement and the criminal justice system in preventing and responding to gender-related killing of women and girls, including by ending impunity for such crimes,

Noting the significance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice[13] as a way to assist countries in strengthening their national crime prevention and criminal justice capacities to respond to all forms of violence against women and girls,

Recalling its resolution 69/194 of 18 December 2014, by which it adopted the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, convinced of the importance of preventing youth crime, supporting the rehabilitation of young offenders and their reintegration into society, protecting in particular child victims of all forms of violence, including those in contact with the law and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners, stressing that such responses should take into account the human rights and best interests of children and young people, consistent with the obligations of the States parties under relevant international instruments, including the Convention on the Rights of the Child[14] and the Optional Protocols thereto,[15] and noting other relevant United Nations standards and norms in juvenile justice,

Emphasizing the relevance of international instruments and United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, in particular women and juveniles,

Recalling its resolution 70/145 of 17 December 2015, in which it reaffirmed that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Stressing the importance of the Code of Conduct for Law Enforcement Officials[16] and the Basic Principles on the Use of Force and Firearms by Law

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[12] See *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[13] Resolution 69/194, annex.

[14] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[15] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[16] Resolution 34/169, annex.

Enforcement Officials,[17] which are voluntary guidelines that emphasize, inter alia, efficient and human rights-based policing,

Recalling its resolution 65/229 of 21 December 2010 on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and in this regard encouraging the efforts of Member States to implement the Bangkok Rules,

Welcoming the adoption, by its resolution 70/175, of the revision to the Standard Minimum Rules for the Treatment of Prisoners, as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),

Reiterating its strong condemnation of trafficking in persons, which constitutes a serious crime and a grave offence to human dignity and physical integrity, a violation and abuse of human rights and a challenge to sustainable development and requires the implementation of a comprehensive approach that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, and a robust criminal justice response, and recalling in this respect the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention,[18] and its resolution 70/179 of 17 December 2015,

Underlining that Member States need to recognize that the crime of smuggling of migrants and the crime of trafficking in persons are distinct crimes and require separate and complementary legal, operational and policy responses, and recalling its resolutions 69/187 of 18 December 2014 and 70/147 of 17 December 2015, in which it called upon all Member States to protect and assist migrants, including migrant children and adolescents, and Economic and Social Council resolutions 2014/23 of 16 July 2014 and 2015/23 of 21 July 2015,

Reaffirming its resolution 70/1, in which it, inter alia, called upon Member States to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour,

Welcoming its resolution 71/1 of 19 September 2016, by which it adopted the New York Declaration for Refugees and Migrants, which addresses the issue of large movements of refugees and migrants,

Welcoming also the work of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in accordance with the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by its resolution 64/293 of 30 July 2010, as well as the important contribution of the Special Rapporteur on trafficking in persons, especially women and children,

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[17] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

[18] United Nations, *Treaty Series*, vol. 2237, No. 39574.

Concerned at the growing involvement of terrorist and organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups, which is linked to trafficking in cultural property in some countries and to financing of terrorist activities,

Recognizing the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner, and underlining the importance of the practical assistance tool aimed at supporting the implementation of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences[19] through the Commission on Crime Prevention and Criminal Justice and the implementation of resolutions 68/186 of 18 December 2013, 69/196 and 70/76 and facilitating operational cooperation against all forms of trafficking in cultural property, and the request to the United Nations Office on Drugs and Crime to provide practical assistance in the implementation of the Guidelines and to facilitate cooperation in this area, including in countering the financing of terrorism in accordance with resolution 70/177 of 17 December 2015,

Affirming that the destruction of cultural heritage, which is representative of the diversity of human culture, erases the collective memories of a nation, destabilizes communities and threatens their cultural identity, and emphasizing the importance of cultural diversity and pluralism as well as freedom of religion and belief for achieving peace, stability, reconciliation and social cohesion, and recalling in this respect its resolution 70/76,

Reaffirming the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, and recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the Earth which must be protected for this generation and the generations to come,

Emphasizing that the protection of wildlife must be part of a comprehensive approach to achieving poverty eradication, food security, sustainable development, including the conservation and sustainable use of biological diversity, economic growth, social well-being and sustainable livelihoods,

Expressing deep concern about crimes that affect the environment, including illicit trafficking in endangered and, where applicable, protected species of wild fauna and flora, and in hazardous waste, and emphasizing the need to combat such crimes by strengthening coordinated action to eliminate, prevent and combat corruption and disrupt illicit networks and also by coordinating international cooperation, capacity-building, criminal justice responses and law enforcement efforts,

Recalling the adoption of its resolutions 69/314 of 30 July 2015 and 70/301 on tackling illicit trafficking in wildlife, in which it requested the Secretary-General to provide updated information to the General Assembly at its seventy-first session on the global status of illicit trafficking in wildlife, including poaching and illegal

[19] Resolution 69/196, annex.

trade, and on the implementation of resolution 70/301, and to present proposals for possible future action,

Recalling also Commission on Crime Prevention and Criminal Justice resolutions 22/7 on strengthening international cooperation to combat cybercrime and 22/8 on promoting technical assistance and capacity-building to strengthen national measures and international cooperation against cybercrime, both of 26 April 2013,[20]

Concerned at the growing trend of cybercrime and the misuse of information and telecommunications technologies in multiple forms of crime,

Concerned also by the serious challenges and threats posed by trafficking in firearms, their parts and components and ammunition, and about its links with terrorism and other forms of transnational organized crime, including drug trafficking,

Noting international efforts to prevent, combat and eradicate the illicit trade in conventional arms, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[21] the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[22] and the entry into force in 2014 of the Arms Trade Treaty,[23]

Welcoming the thirtieth special session of the General Assembly, held at United Nations Headquarters from 19 to 21 April 2016, and the adoption of the outcome document, entitled "Our joint commitment to effectively addressing and countering the world drug problem",[24] taking note of the discussion therein, and reaffirming the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,[25] adopted by the General Assembly at its sixty-fourth session, and the joint ministerial statement of the 2014 high-level review by the Commission on Narcotic Drugs of the implementation by Member States of the Political Declaration and Plan of Action,[26]

1. *Takes note with appreciation* of the report of the Secretary-General prepared pursuant to resolutions 64/293 and 69/195, 69/197, 69/199 of 18 December 2014 and 70/178;[27]

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[20] See *Official Records of the Economic and Social Council, 2013, Supplement No. 10* and corrigendum (E/2013/30 and Corr.1), chap. I, sect. D.

[21] *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[22] United Nations, *Treaty Series*, vol. 2326, No. 39574.

[23] See resolution 67/234 B.

[24] Resolution S-30/1, annex.

[25] See *Official Records of the Economic and Social Council, 2009, Supplement No. 8* (E/2009/28), chap. I, sect. C.

[26] Ibid., *2014, Supplement No. 8* (E/2014/28), chap. I, sect. C.

[27] A/71/114.

2. *Reaffirms* its resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;

3. *Calls upon* all Member States, when appropriate, to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[6] adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, when formulating legislation and policy directives, and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

4. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1] the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[2] the Convention on Psychotropic Substances of 1971,[3] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[4] the United Nations Convention against Corruption[5] and the international conventions and protocols related to terrorism, and urges States parties to those conventions and protocols to make efforts towards their effective implementation;

5. *Reaffirms* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto represent the most important tools of the international community for fighting transnational organized crime, and notes with appreciation that the number of States parties has reached 187, which is a significant indication of the commitment shown by the international community to combating transnational organized crime;

6. *Recalls* article 32 of the United Nations Convention against Transnational Organized Crime[10] and General Assembly resolution 69/197, in which, inter alia, the need for the establishment of a mechanism to review the implementation of the Convention and the Protocols thereto by States parties was reiterated, and underlines that the review of the implementation of the Convention is an ongoing and gradual process and that it is necessary to explore all options regarding the establishment of a mechanism to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto;

7. *Welcomes with appreciation* the decision of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its eighth session to continue the process of establishing a mechanism for the review of the implementation of the Convention and the Protocols thereto and to elaborate specific procedures and rules for the functioning of the mechanism, which shall include the elements specified by the Conference, for consideration by the Conference at its ninth session, as well as its decision that the mechanism shall progressively address all the articles of the Convention and the Protocols thereto, in accordance with the agreed clusters of articles and the multi-year workplan;

8. *Welcomes* the decisions of the Conference of the Parties at its eighth session to promote greater use of the Convention by central authorities in extradition and mutual legal assistance and to enhance the effectiveness of these authorities and to strengthen, as appropriate, the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Convention;[22]

9. *Urges* States parties to the United Nations Convention against Corruption to continue to provide full support to the review mechanism adopted by the Conference of the States Parties to the United Nations Convention against Corruption, and notes with appreciation that the number of States parties has reached 180, which is a significant indication of the commitment shown by the international community to combating corruption and related crimes;

10. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and calls upon States parties to give full effect to the resolutions adopted by those bodies, including providing information regarding compliance with the treaties;

11. *Encourages* Member States to strengthen the capacity of their respective criminal justice systems to investigate, prosecute and punish all forms of crime, while supporting an effective, fair, humane and accountable criminal justice system and protecting the human rights and fundamental freedoms of defendants, as well as the legitimate interests of victims and witnesses, and to adopt and reinforce measures to ensure access to effective legal aid in criminal justice systems;

12. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking also into account the work undertaken by other United Nations entities, within existing mandates, as well as regional and bilateral efforts, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group of the Secretariat;

13. *Reiterates* the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates;

14. *Encourages* all States to have national and local action plans for crime prevention in order to take into account, in a comprehensive, integrated and participatory manner, inter alia, factors that place certain populations and places at higher risk of victimization and/or of offending, and to ensure that such plans are based on the best available evidence and good practices, and stresses that crime prevention should be considered an integral element of strategies to foster social and economic development in all States, in accordance with the commitments contained in General Assembly resolutions 70/1 and 70/299;

15. *Urges* Member States and relevant international organizations, in cooperation with the United Nations crime prevention and criminal justice programme, to develop national, subregional, regional and international strategies, as appropriate, and other necessary measures, including the establishment, in accordance with domestic legislation, of designated central authorities and effective

points of contact dedicated to facilitating the procedures related to international cooperation, including for mutual legal assistance requests, in order to effectively address transnational organized crime, and to strengthen all forms of cooperation to enable the return of illicitly acquired assets in accordance with the provisions of the United Nations Convention against Corruption for asset recovery, in particular chapter V, with the cooperation of the United Nations Office on Drugs and Crime, within its existing mandate;

16. *Reaffirms* the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices in respect of all forms of organized crime, including piracy and transnational organized crime committed at sea, cybercrime, the use of new information technologies to abuse and exploit children, as well as identity-related crime, trafficking in cultural property, illicit financial flows, economic and financial crimes, including fraud, as well as tax and corporate crimes, trafficking in precious metals and stones, counterfeiting in trademark goods, crimes that affect the environment and illicit trafficking in endangered species of wild fauna and flora, drug trafficking, trafficking in persons, smuggling of migrants and illicit manufacturing of and trafficking in firearms, direct and indirect trade in oil and refined oil products with organized criminal and terrorist groups, as well as corruption and terrorism;

17. *Calls upon* Member States to strengthen cooperation at the international, regional, subregional and bilateral levels to counter the threat posed by foreign terrorist fighters, including through enhanced operational and timely information-sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to prevent and counter violent extremism as and when conducive to terrorism, to enhance efforts to implement deradicalization programmes and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law;

18. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices, foster cooperation and take advantage of their unique and comparative advantage;

19. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its country and regional offices in building capacity at the local level in the field of crime prevention and criminal justice, and urges the Office to consider regional vulnerabilities, projects and impacts in the fight against transnational

organized crime in all its forms, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

20. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, efforts towards the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Corruption, and to discharge its functions as the secretariat of the conferences of the parties to the conventions, the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs, as well as the United Nations congresses on crime prevention and criminal justice, in accordance with its mandate, and requests the Secretariat to continue to provide support to the Commissions within their respective mandates, enabling them to actively contribute, as appropriate, to the global follow-up and the thematic review of progress made by Member States in the achievement of the Sustainable Development Goals as set forth in resolution 70/299;

21. *Urges* all Member States to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand, improve and strengthen, within its mandates, its operational and technical cooperation activities;

22. *Expresses concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, emphasizes the need to provide the Office with adequate, predictable and stable resources and to ensure their cost-effective utilization, and requests the Secretary-General, also considering the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office, to continue to report, within existing reporting obligations, on the financial situation of the Office and to continue to ensure that the Office has sufficient resources to carry out its mandates fully and effectively;

23. *Invites* States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and to the United Nations Trust Fund on Contemporary Forms of Slavery;

24. *Calls upon* Member States to intensify national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination;

25. *Emphasizes* the importance of protecting vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and in that regard expresses its concern about the increase in the activities of transnational and national organized criminal groups and others who

profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of national laws and international law;

26. *Calls upon* Member States to implement, when appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[28] bearing in mind their spirit and purpose, and to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, in this respect;

27. *Invites* Member States to mainstream a gender perspective into their criminal justice systems, including by the use of non-custodial measures for women, when appropriate, and by improving the treatment of women prisoners, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[29] and by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence and to strengthen the crime prevention and criminal justice response to the gender-related killing of women and girls, in particular by taking measures to support the practical capacity of Member States to prevent, investigate, prosecute and punish all forms of such crime, and welcomes in this respect the practical tools recommended by the open-ended intergovernmental expert group on gender-related killing of women and girls at its meeting held in Bangkok from 11 to 13 November 2014;[30]

28. *Also invites* Member States to integrate child- and youth-related issues into their criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, and to develop comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time;

29. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing their abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance, with a view to fostering international cooperation, in particular mutual legal assistance, aimed at countering effectively this growing serious crime;

30. *Calls upon* Member States to consider ratifying or acceding to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[31] to

[28] Resolution 70/175, annex.
[29] Resolution 65/229, annex.
[30] See E/CN.15/2015/16.
[31] United Nations, *Treaty Series*, vol. 2241, No. 39574.

reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers, in accordance, as appropriate, with article 6 of that Protocol and with national laws and legislation, while effectively protecting the rights and respecting the dignity of smuggled migrants, consistent with the principles of non-discrimination and other applicable obligations under relevant international law, taking into account the special needs of women, children, especially when unaccompanied, and persons with disabilities and older persons, and in collaboration with international organizations, civil society and the private sector, and in this regard calls upon the United Nations Office on Drugs and Crime to continue its technical assistance to Member States in accordance with the Protocol;

31. *Encourages* Member States to ensure that, in investigating and prosecuting the smuggling of migrants, the concurrent undertaking of financial investigations is considered, with a view to tracing, freezing and confiscating proceeds acquired through that crime, and to consider the smuggling of migrants to be a predicate offence of money-laundering;

32. *Emphasizes* the importance of preventing and combating all forms of trafficking in persons, and in this regard expresses its concern about the activities of transnational and national organized criminal groups and others who profit from such crimes, including for the purpose of organ removal, and calls upon Member States to consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[4] as well as to strengthen national efforts to combat all forms of trafficking in persons and to protect and assist the victims of trafficking in accordance with all relevant legal obligations and in collaboration with international organizations, civil society and the private sector;

33. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism, including the phenomenon of foreign terrorist fighters, especially with regard to extradition and mutual legal assistance, and its financial sources, through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation and cooperation with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

34. *Urges* the United Nations Office on Drugs and Crime to continue to provide, within its mandate, technical assistance to Member States, upon their request, to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, in accordance with United Nations-related instruments and international standards, including, where applicable, standards and relevant initiatives of regional, interregional and multilateral organizations and

intergovernmental bodies against money-laundering, inter alia and as appropriate, the Financial Action Task Force, in accordance with national legislation;

35. *Encourages* Member States to enhance the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, through, when appropriate, the activities of the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

36. *Affirms* that attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments, or hospitals and places where the sick and wounded are collected, may amount to war crimes, stresses the importance of holding accountable perpetrators of attacks intentionally directed against the above-mentioned buildings, provided that they are not military objectives, and calls upon all States to take appropriate action to this end within their jurisdiction in accordance with applicable international law;

37. *Urges* States parties to make effective use of the United Nations Convention against Transnational Organized Crime for broad cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences, including money-laundering and the financing of terrorism, especially in returning such confiscated proceeds of crime or property to their legitimate owners, in accordance with article 14, paragraph 2, of the Convention, and invites States parties to exchange information and statistical data on all forms and aspects of trafficking in cultural property and related offences, and reaffirms in this regard the importance of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, as adopted by the General Assembly in its resolution 69/196;

38. *Urges* Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including publicizing legislation, international guidelines and related technical background documents, and offering special training for police, customs and border services, and invites Member States to make trafficking in cultural property, including stealing from and looting of archaeological and other cultural sites, a serious crime, as defined in article 2 (b) of the United Nations Convention against Transnational Organized Crime;

39. *Also urges* Member States to take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides, including by strengthening the legislation necessary for the prevention, investigation and prosecution of such illegal trade, as well as by strengthening enforcement and criminal justice responses, in accordance with national legislation and international law, acknowledging that the International Consortium on Combating Wildlife Crime can provide valuable technical assistance in this regard;

40. *Calls upon* Member States to make illicit trafficking in protected species of wild fauna and flora and in hazardous waste involving organized criminal groups a serious crime in accordance with their national legislation and with article 2 (b) of the United Nations Convention against Transnational Organized Crime;

41. *Also calls upon* Member States to take appropriate and effective measures to prevent and combat trafficking in precious metals and stones by organized criminal groups, including, where appropriate, the adoption and effective implementation of the necessary legislation for the prevention, investigation and prosecution of illicit trafficking in precious metals and stones;

42. *Encourages* Member States to continue to support the United Nations Office on Drugs and Crime in providing targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy and other forms of crime committed at sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

43. *Notes with appreciation* the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, and calls upon Member States to explore specific measures designed to create a secure and resilient cyberenvironment, to prevent and counter effectively criminal activities carried out over the Internet, paying particular attention to identity theft, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography, in particular child sexual abuse imagery, from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms;

44. *Encourages* Member States to strengthen their efforts in combating cybercrime and all forms of criminal abuse of information and telecommunications technologies, and to enhance international cooperation in this regard;

45. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address the links with other forms of transnational organized crime, through, inter alia, legislative assistance, technical support and improved data collection and analysis;

46. *Urges* Member States to exchange good practices and experiences of practitioners who are involved in combating illicit trafficking in firearms and to consider the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition, in order to enhance criminal investigations into illicit trafficking in firearms;

47. *Calls upon* Member States to intensify all efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in

illicit drug production and trafficking and related criminal activities and to take steps to reduce the violence that accompanies drug trafficking;

48. *Recommends* that Member States, as appropriate to their national contexts, adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments and data collection and focusing on all sectors of the justice system, and develop crime prevention policies, strategies and programmes, including ones that focus on early prevention by using multidisciplinary and participatory approaches, in close cooperation with all stakeholders, including civil society, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to Member States for this purpose;

49. *Invites* Member States to develop national plans for the gradual adoption of the International Classification of Crime for Statistical Purposes and to strengthen national statistical systems of criminal justice, requests the United Nations Office on Drugs and Crime, within its existing mandate, to continue to strengthen the regular collection, analysis and dissemination of accurate, reliable and comparable data and information, including, as appropriate, data disaggregated by sex, age and other relevant criteria, and strongly encourages Member States to share such data and information with the Office;

50. *Requests* the United Nations Office on Drugs and Crime to continue to develop, in close cooperation with Member States, technical and methodological tools and trend analyses and studies to enhance knowledge of crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources;

51. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

52. *Requests* the United Nations Office on Drugs and Crime, in collaboration and close consultation with Member States and within existing resources, to continue to support the enhancement of capacity and skills in the field of forensic sciences, including the setting of standards, and the development of technical assistance material for training, such as manuals, compilations of useful practices and guidelines and scientific and forensic reference material, for law enforcement officials and prosecution authorities, and to promote and facilitate the establishment and sustainability of regional networks of forensic science providers in order to enhance their expertise and capacity to prevent and combat transnational organized crime;

53. *Invites* the President of the General Assembly, in cooperation with the United Nations Office on Drugs and Crime, and with the involvement of relevant stakeholders, to hold, within existing resources and after the completion of the twenty-sixth session of the Commission on Crime Prevention and Criminal Justice, a high-level debate to observe the twenty-fifth anniversary of the assassination of

Judge Giovanni Falcone, focusing on the implementation of the United Nations Convention against Transnational Organized Crime ("Palermo Convention") and the Protocols thereto, highlighting emerging trends and challenges in crime prevention and criminal justice and their impact on sustainable development, and to prepare a President's summary of the discussion for transmission to the Conference of the Parties to the Convention and to all Member States;

54. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, reflecting also emerging policy issues and possible responses.